

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:

All Cases Listed In Appendix A

MDL No. 2804

Case No. 1:17-md-2804

JUDGE DAN AARON POLSTER

**STIPULATION AND [PROPOSED] ORDER
DISMISSING WITH PREJUDICE CLAIMS
PURSUANT TO SETTLEMENT AGREEMENT**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for Plaintiffs in cases listed in Appendix A (collectively, the “Dismissing Plaintiffs”) and Defendants McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation (collectively and together with their Released Entities, the “Settling Distributor Defendants”¹) that, pursuant to the election of each Dismissing Plaintiff to participate in the Distributors West Virginia Subdivisions Settlement Agreement, which was announced on August 1, 2022 and dated as of July 31, 2022, which is binding on the Dismissing Plaintiffs and the Settling Distributor Defendants, and the Effective Date of which shall be the date that all required dismissals with prejudice are entered (a copy of which is attached as Appendix B), the actions listed in Appendix A are hereby voluntarily **DISMISSED WITH PREJUDICE** as to Settling Distributor Defendants, including

¹ The “Released Entities” are each and every entity of any of the Settling Distributor Defendants as set forth in Section II.T and Exhibit I of the Distributors West Virginia Subdivisions Settlement Agreement, dated as of July 31, 2022, a copy of which is attached as Appendix B. Appendix C, also attached hereto, represents a good faith effort by the Settling Distributor Defendants to list all Released Entities that may be individually named in any of the Dismissing Plaintiffs’ complaints. Appendix C is not intended to limit the scope of Released Entities, and to the extent that Dismissing Plaintiffs or Settling Distributor Defendants subsequently identify any Released Entity that should have been included on Appendix C, they will inform the Clerk of the Court.

any entity identified on the attached Appendix C, with each party to bear its own costs and attorneys' fees.:

The Court shall retain jurisdiction with respect to the Distributors West Virginia Subdivisions Settlement Agreement to the extent provided under that Agreement.

Dated October 6, 2022

Respectfully submitted,

Agreed as to form and substance:

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SO ORDERED:

Dated: _____

HON. DAN AARON POLSTER